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February 12, 2021

VIA CM/ECF

Hon. John P. Cronan
United States District Judge
Southern District of New York
500 Pearl Street, Room 1320
New York, New York 10007

Re: *Tuy v. Major Cleaning Inc., et al.*, No. 1:20-cv-05230-JPC

Dear Judge Cronan,

We represent the Plaintiff and opt-in Plaintiff (“Plaintiffs”) in the above referenced matter. We, along with counsel for Defendants, hereby submit this joint motion for an extension of time to submit the approval materials for Your Honor’s review pursuant to this Court’s Individual Rules of Practice. The Parties are mindful of the Court’s 48-hour notice requirement for an extension of time request and apologize that this request is submitted after this time frame. We submit that the below constitutes a compelling circumstance.

On December 9, 2020, the Parties informed the Court that they had reached a settlement in principle in this matter. On December 9, 2020, the Court provided the Parties up to January 29, 2021 to submit the proposed settlement agreement and motion for approval. ECF No. 23. The Court granted the Parties’ first request for an extension of time to submit the settlement for approval on January 26, 2021, setting the deadline for the approval motion by February 12, 2021. ECF No. 25

As of the date of the previous letter, Plaintiffs’ Counsel has provided Defendants’ Counsel the proposed settlement agreement and joint letter motion for approval. While the Parties hoped to finalize the papers and obtain signatures, Defense Counsel informed the undersigned this week that he is still dealing with the serious medical issue in his family referenced in the previous extension of time request. Plaintiffs’ Counsel has communicated with another attorney at Defense Counsel’s office with the hopes of finalizing the materials with him while Mr. Morrison deals with the family medical issue.

As a result, the Parties respectfully request 14 additional days to finalize the settlement agreement, obtain signatures, and submit the motion for approval. This is the second request for an extension of time for this deadline and it is not done for any delay.

Fitapelli & Schaffer, LLP

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We thank the Court for its time and consideration in advance.

Sincerely,



Armando A. Ortiz

CC: All counsel of record (via CM/ECF)

This request is GRANTED. The parties shall submit any settlement that requires Court approval, along with any other required information, by February 26, 2021.

SO ORDERED.

Date: February 12, 2021

New York, New York



JOHN P. CRONAN
United States District Judge